

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SHANE SOPHER,

Plaintiff,

V.

MICHAEL WASHINGTON, DIANE M.
REA, DIANNE MIDDLE, STEVEN R.
POWERS, DARCEY BAKER, and
CANDACE WHEELER,

Defendants.

Civil Case No. 05-6322-HU

ORDER

Kristina Hellman
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KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on September 29, 2008. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Dennis J. Hubel.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Hubel dated September 29, 2008 in its entirety.

IT IS HEREBY ORDERED that Defendants' Rule 12 Motion to Dismiss (#25) is granted. This action is dismissed with prejudice.

DATED this 30th day of October, 2008.

/s/ Garr M. King

GARR M. KING
United States District Judge